

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.852 OF 2026

DATE: 06.02.2026

BETWEEN:

Boya Rajesh & another

.....Petitioners/A.1 & A.2

And

The State of Telangana,
Through the Station House Officer,
Dundigal Police Station,
Cyberabad Commissionerate,
Rep., by the Public Prosecutor,
High Court for the State of Telangana,
Hyderabad

.....Respondent

: ORDER :

This Criminal Petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying this Court to enlarge the petitioners on bail who are arrayed as accused Nos.1 and 2 in Crime No.1086 of 2025 of Dundigal Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 103, 49 r/w.3(5) of Bharatiya Nyaya Sanhita, 2023.

2. The facts of the case are that on 08.11.2025 at about 12:10 PM, the complainant lodged a complaint stating that she was informed that her daughter, Swathi, had been murdered. On reaching Swathi's house, she found her dead with her throat slit. Her grandson stated that two unknown men entered the house early in the morning and killed his mother. The complainant stated that Swathi, who had separated from her husband due to disputes, was allegedly in a relationship with one Kishan, leading to disputes with his family. It was alleged that Kishan's son-in-law, Rajesh, along with another person, murdered Swathi. Hence, requested the police for necessary action against the accused basing on which police registered the case against the accused for the above offence.

3. Heard Sri P.Vikasraj, learned counsel appearing for the petitioners and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. The learned counsel for the petitioners submitted that the petitioners are falsely implicated in this case and there is no independent witness to support the prosecution case. The prosecution wholly relied on the evidence of 8 years old child, no test identification parade is conducted and the confession statements of the petitioners before police is inadmissible. Petitioners are in jail from 08.11.2025 and the main conspirator who is A.3 in this case is

already enlarged on bail. Further, no charge sheet is filed till today. The petitioners have no previous criminal history and seek parity with the person who was already granted bail. Hence, prayed this Court to grant regular bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor filed counter opposing bail contending that the petitioners along with other accused killed the deceased because of illegal relationship between the deceased and A.3. The CCTV cameras present at the residence of the deceased captured the accused at the time of offence. If petitioners are released on bail, they will tamper the evidence and threaten the witnesses. The investigation is not yet completed. As such, petitioners are not entitled for bail and prayed to dismiss this petition.

6. In view of the submissions made by both counsels and the material available on record, it is seen that the petitioners are in jail from 08.11.2025 and charge sheet is not filed till today. Further, the main accused in this case is already granted bail. Considering the facts and circumstances, the period of incarceration of the petitioners, this Court deems it fit to grant regular bail to the petitioners subject to the following conditions :

- i. The petitioners/A.1 & A.2 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five

Thousand only) each with two sureties for a like sum each to the satisfaction of the VIII Additional Metropolitan Magistrate, Cyberabad at Medchal.

ii. The petitioners/A.1 & A.2 shall appear before the concerned SHO between 09.00 a.m and 5.00 p.m., on every Wednesday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

iii. The petitioners/A.1 & A.2 shall abide by the conditions stipulated in Section 483(2) of the BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 06.02.2026

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